

Docket No.: 110989-0004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:
	:
Chung-hak LEE	: Confirmation No.: 4080
	:
U.S. Patent Application No. 10/550,942	: Group Art Unit: 3689
	:
Filed: November 23, 2005	: Examiner: FISHER, MICHAEL J

For: METHOD FOR OBTAINING TRAFFIC INFORMATION USING BILLING
INFORMATION OF MOBILE TERMINAL

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

In response to the FINAL Office Action dated September 13, 2010, reconsideration and allowance of the subject application in view of the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Fisher at the interview held October 22, 2010, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

Regarding the rejections of claims 1, 3, 8-11, 14, 16-19, 21-23, 25, and 26 under 35 USC 102(e) as being anticipated by Myr (US 6,577,946), Applicant appreciates the indication made by Examiner Fisher during the personal interview that the rejection under 35 USC 102(e) was improper. More specifically, regarding independent claim 1, the Examiner agreed that Myr failed to disclose, either directly or inherently, a method for obtaining traffic information using billing information of a mobile terminal, comprising the steps of: receiving call data based on a telephone call made by the terminal...." (emphasis added). Myr at best appears to use cell phone location information that is not call based and therefore is not as current as location information based upon actual call attempts. Independent claim 29 similarly recites a method for obtaining

traffic information using billing information of actual calls made, comprising a step of setting a reference value of a traffic state according to the number of “generated telephone calls.”

A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. Accordingly, because Myr does not disclose, teach or suggest each and every feature recited in independent claims 1 and 19, Applicant’s recited feature distinguishes over Myr and therefore the 102(e) rejection of claims 1 and 19, and the claims that depend therefrom, is improper.

The 103(a) rejection of claims 2, 4, 5-7, 12, 13, 15, 20, 24, and 27-32 as obvious over Myr is likewise traversed based upon the failure of Myr to disclose, teach, or suggest the features of independent claims 1 and 19. Independent claim 29, and claims 30-32 that depend therefrom, similarly recite setting a reference value of a traffic state according to the “number of generated telephone calls,” and is likewise allowable over Myr.